

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-30 are remain pending in the present application, Claims 1, 9, 12, and 22 having been amended. No new matter has been added.¹

In the outstanding Office Action, the title of the specification was objected to; and Claims 1-30 were rejected under 35 U.S.C. § 112, first paragraph.

The title has been amended to address the objection to the specification. Accordingly, the objection to the specification is believed to have been overcome.

Applicants appreciatively acknowledge the courtesy of Examiner Jackson for agreeing to discuss the issues in the Office Action and proposed claim amendments on May 5, 2009. The substance of the changes discussed are now presently filed. Given the understanding seemingly reached during the discussion, the claims as filed are believed to overcome the rejection under 35 U.S.C. § 112, first paragraph.

More specifically, it is respectfully submitted that the amendments to Claims 1, 9, 12, and 22 find support in Applicants' specification, as seen in at least the following paragraph, which has been reproduced below for the Office's convenience.

As a second mode, the clear to send signal may be formed to have generally two sections. The first section may describe at least an interval where a third communication station the address of which is not described in the request to send signal transmitted from the first communication station must stop its communication operation. The second section may describe at least reference information known to the first communication station. According to this structure, in the communication system, after receiving the request to send signal, respective communication stations can simultaneously receive the first section in the clear to send signal, so that an erroneous start of the communication caused by a difference in the completion timing between the received clear to send signals can be avoided.²

¹ Claims 1, 9, 12, and 22 are amended to clarify features previously presented.

² See paragraph [0029] of Applicants' specification.

Compliance with the written description requirement of Section 112 only requires that appellant's application contain sufficient disclosure, expressly or inherently, to make it clear to persons skilled in the art that appellant possessed the subject matter claimed. *In re Mott*, 539 F.2d 1291, 1297, 190 USPQ 536, 541 (CCPA 1976). The test for determining compliance with the written description requirement is whether the disclosure of the application as originally filed reasonably conveys to the artisan that the inventor had possession of the claimed subject matter, rather than the presence or absence of literal support in the specification for the claim language. *In re Kaslow*, 707 F.2d 1366, 1375, 217 USPQ 1089, 1096 (Fed. Cir. 1983).

Given the illustration above, it is respectfully submitted that Claims 1, 9, 12, and 22 are fully supported by the original claims and by the specification, and that the disclosure of the application as originally filed reasonably conveys to the artisan that the inventor had possession of the claimed subject matter. Thus, the 35 U.S.C. §112, first paragraph, rejection should be removed. Accordingly, Claims 1-30 are believed to be allowable.

Consequently, in view of the present amendment and in light of the above discussions, the application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/07)